

February 17, 2005

SENT VIA FACSIMILE & USPS

James Allen Main; Director of Finance
and Internal Affairs
Alabama State Capitol
600 Dexter Avenue - Suite N-105
Montgomery, Alabama 36130

RE: Request for Job Resignation

Director James Allen Main:

I, Calvin Scott, Sr., am a Blind Vendor with Alabama State Rehabilitation Business Enterprise Program(BEP) for the Blind in Montgomery, Alabama. I have been a blind vendor in good standing in this program for the past 29 years.

My assigned work facility is the Gordon Person's State Office Building located at 50 Monroe St in Montgomery, Alabama 36104. I have performed outstanding vendor services in the Gordon Person's State Office Building for the past 9 years of my 29-year career in this business.

Out of the 9 years that myself and my assistant/wife has worked at the Gordon Person's State Office building we have endured being disrespected, humiliated, intimidated, discriminated against, threatened, and just out slandered by your Plant Maintenance Supervisor James (Buddy) Swearengin.

Most recently on Feb. 7, 2005 your Plant Maintenance Supervisor James (Buddy) Swearengin drafted a letter full of lies and contempt in an effort to cause me, a blind-vendor, to loose my job in the Gordon Person's office building. This act alone demonstrates Mr. Swearengin's abuse of power and also violates Alabama State Code 1975 §§ 21-1-40 and 21-9-9; 20 U. S. C. § 107 et. Seq

Furthermore, when your Plant Maintenance Supervisor James (Buddy) Swearengin declined to give me card access to my snack machines that I support he also violated Federal Law Title I of the Americans with Disabilities Act (ADA) which requires an employer with 15 or more employees to provide reasonable accommodation for individuals with disabilities, unless it would cause undue hardship. A reasonable accommodation is any change in the work environment or in the way a job is performed that enables a person with a disability to enjoy equal employment opportunities.

Mr. Swearengin has disrespected me and my wife on numerous occasions over the past 9 years, most of which were brought to my Department of Rehabilitation representatives attention, but yet James (Buddy) Swearengin has continued to be disrespectful, most uncooperative, and slanderous. Mr. Swearengin's lack of professionalism and disrespect will not be tolerated by myself or my wife/assistant, nor should it be tolerated by anyone else.

Therefore, I believe with all my heart that it would be in the best interest of all of those involved for you to request that your Plant Maintenance Supervisor James (Buddy) Swearengin resign immediately from his position of power as Plant Maintenance Supervisor. Mr. Swearengin's constant abuse of power and violation of both Federal and State laws protecting handicapped and disabled workers demonstrates his lack of professionalism and respect for the law and should not go unpunished.

Thank you for your prompt attention to this urgent matter and I look forward to hearing from you soon. If you need further information I can be reached at (334) 272-2657 via phone and/or fax at the same number.

Sincerely,
Calvin Scott, Sr.
Blind BEP Vendor

To Whom It May Concern:

The allegations written by James (Buddy) Swearengin are unfounded, false, and untrue.

On January 31, 2005 I asked BEP Director Ray Dennis and my BEP Representative Kenneth Green to assist me with acquiring the following three items from Plant Maintenance Supervisor James (Buddy) Swearengin :

1. a permanent electronic access card(swipe card)
2. removal and relocation of one snack machine to a better location
3. a handicapped parking space for the Blind Vendor

But to my surprise my BEP Assistant Director Perry Hopper and my BEP Representative Kenneth Green returned with an outrageous letter full of lies and contempt from the building Plant Supervisor James (Buddy) Swearengin which basically is another attempt to cause me to loose my position as a blind vendor in the Gordon Person's State Office Building.

Yours truly,
Calvin Scott, Sr.
Blind BEP Vendor
(334) 272-2657

OFFICE OF THE DIRECTOR
DEPARTMENT OF FINANCE

JAMES ALLEN MAIN
DIRECTOR OF FINANCE



ANDY HORNSBY
ASSISTANT FINANCE DIRECTOR

(334) 242-7160
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Andy.Hornsby@finance.alabama.gov

**STATE OF ALABAMA
STATE CAPITOL
MONTGOMERY, ALABAMA 36130**

February 18, 2005

Mr. Calvin Scott, Sr.
1416 Marier Road
Pike Road, Alabama 36064

Dear Mr. Scott:

Finance Director, Jim Main, referred your letter of February 17, 2005 to me for a response. I have contacted Rehabilitation Services and the Services Division of the Finance Department concerning your allegations. It is my understanding that the matters you raised in your letter to Mr. Main are being looked into.

I urge you to work with Searcy Rushing and others who are attempting to satisfy the issues raised in your letter in a cooperative manner, so that you are able to continue in your service to the State of Alabama. I hope these concerns are resolved to your satisfaction. Mr. Rushing will be in touch with you at a later date.

Sincerely,



Andrew P. Hornsby
Assistant Finance Director

Cc: Searcy Rushing, Service Division
Steve Simpson, Rehabilitation Services
Jim Main, Director of Finance

TO: Mr. Steve Shivers
RE: Documental Evaluation of Grantors Demand for Removal of Vendor
FROM: Ray Dennis and Perry Hopper

TIMELINE OF CORRESPONDENCE REGARDING CALVIN SCOTT

2/7/05 Letter received requesting the removal of Blind Vendor, Calvin Scott, and his assistant/wife, Gladys Scott from Building Manager, James "Buddy" Swearengin.

2/9/05 Ray Dennis and Perry Hopper meet with Mr. Swearengin and reach agreement for vendor Scott to retain his job.

2/9/05 Terms of requirements/changes for Mr. Scott to continue as vendor communicated in writing to Mr. Swearengin.

2/9/05 Terms of requirements/changes for vendor to retain his job communicated in writing to Mr. Scott.

2/9/05 Ken Green and Perry Hopper talk to Scotts by phone and explain requirements/changes for vendor to retain his job.

2/10/05 Call received from Debby McBride from Congressman Mike Rogers's office by Perry Hopper.

2/11/05 Fax with letter to Congressman Rogers from Calvin Scott received by BEP office.

2/11/05 Correspondence with cover sheet explanation by FedEx to Debby McBride with Congressman Rogers Office.

2/14/05 Fax of letter to Ray Dennis received by BEP office.

2/14/05 Letter of appeal to "save" his assigned facility sent FedEx to Mr. Scott.

2/14-2/17 Low product levels indicate that no service has occurred this week (photo documentation available).

Attachments

02/17/2005